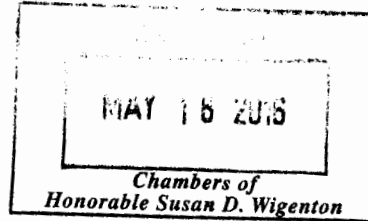


4.11.2016

IN RE: JOSEPH ARUANNO
DISTRICT COURT OF N.J. No. 01-789



Dear Clerk:

Enclosed is a submission from the Plaintiff which he submits in the case listed above in lieu of a more formal submission since he is pro se and in light of the severe limitations placed on him by the defendants such as denying him access to a law library, etc., denying him a job which prevents him from being able to litigate fairly or effectively; and have engaged in a series of violent brutal attacks against him, as this court knows, which have left him physically limited, etc....

Also he is an involuntarily civilly committed person where it is the state's position, AFFIRMED by this court, that he suffers from severe cognitive limitations; reality distortions; etc., where no one who truly stands for justice would permit such a person to proceed on his own and where the ADA; RA; LAD; etc., ENTITLE him a LEGAL GUARDIAN, etc., to assist him in accessing the court here properly and fairly for which we request from this court, or a disability request to appoint such, before proceeding here in the interest of justice and fundamental fairness, etc....

In closing, and in light of these limitations, we ask that you please return a "DATE-STAMPED" copy of this submission.

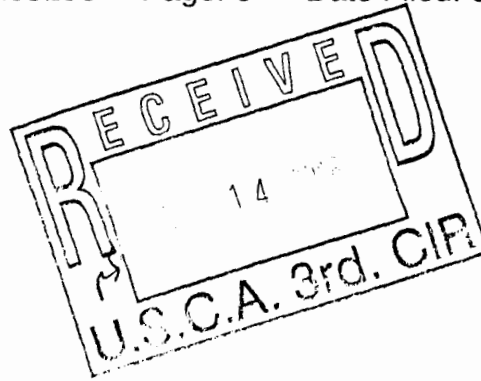
In advance we want to thank you for your time and efforts in these matters.

Sincerely,

J. Aruanno

Mr. Joseph Aruanno #363
S.T.U.
PO Box 905
Avenel, NJ 07001

c: Office of the NJ Attorney General
file



JOSEPH ARUANNO,
Plaintiff

consolidated with,

R. ALVES v. M. MAIN, et al.
Docket No. 01-789

"MOTION TO REOPEN/REINSTATE"

September 21, 2014

Mr. Joseph Aruanno #363
Special Treatment Unit
8 Production Way
PO Box 905
Avenel, NJ 07001

*

* EXHIBIT A


In support of this PETITION/MOTION I have prepared the attached "nine" points which are just the tip-of-the-iceberg and which present serious conflict with the settlement.

And where with that you can see that I have zealously attempted to remedy this with the defendants, ombudsman, monitor, etc., with no resolution for which counsel assisting me with other matters suggested I submit this to you.

In closing, if the court has any questions or comments I would ask that there be "ORAL ARGUMENTS" where I may be able to present a better case and answer any questions the court may have.

In advance I/we want to thank you for your time and efforts in these matters.

Sincerely,


J. Aruanno

c: Office of the NJ Attorney General
file

In addition to (6) I must mention an incident where the groups were being held in the middle of the dayroom where everyone could hear, see, etc., making a total mockery out of the farce that already exists here, where I was attempting to participate in a weekly trivia event where the guards were watching something on the television just 10 feet from us and they had it on "full volume". And when the DHS staff member informed the DOC staff watching the TV that we could not hear each other the reply was that "IT WAS THE DAYROOM", refusing to turn it down.

(7) Where despite having built the new therapy rooms they are rarely used where usually there is no groups taking place despite the settlement increasing weekly groups. Where usually when there is something taking place there is usually only one room being utilized, and the other three empty.

(8) And with these issues I must mention that from my very first attempt to reach the "ombudsman" that was appointed to oversee terms of the settlement I had both placed a request in his box on the unit and mailed him one where after waiting almost a month I confronted him when I saw him on the unit and he said he "DID NOT RECEIVE EITHER".

And where having eventually brought ALL of these issues to his attention, K. Rozov, he has stated these are not part of his responsibilities here, and there is "NOTHING[HE]CAN DO". And has in fact failed to do anything to remedy these problems. And where ALL of which has displayed great incompetence and a total lack of concern right from the beginning of their assignment.

(9) And with that I had written the appointed monitor whom did reply but said he cannot be in contact with the Plaintiffs directly. For which we would ask HOW is he suppose to know the truth of what is happening here. Though he did forward a copy of my complaints to attorney Barbera Moses, whom ironically is responsible for such a flawed settlement and the actions of such insincere defendants as a result.

(10) From December 2014 until April 2015 what little recreational activities they have were cancelled while replacing certain staff members, where there should have been no gap.

"POINTS"

(1) Despite requesting one-on-one treatment/therapy in accordance with Dr. Becker's report and the settlement I have been told, including in writing, that it is not available here.

Then they have stated in a yearly report that I have refused one-on-one treatment which really proves the lie this entire farce is.

(2) I had won a "trivia tournament" but the female staff member who ran the event gave my prize, a watch, to a person she was/is having an inappropriate relationship with including a sexual relationship. And which discourages me, and others, from participating contrary to their lies in their yearly reports that they "encourage" me to participate.

(3) Where I attempt to participate in recreation such as playing in the band, I had bought my own drum set where certain defendants were permitted to break it; where despite playing on "BAND-NIGHT" where they give snacks such as chips, sodas, etc., on the last night I played during July-2014 they gave the snacks to all others in the unit except those in the band stating they "forgot".

(4) Because I am an (alleged) treatment refusal, TR, I am told I cannot participate in "educational programs" addressed by Dr. Becker and the settlement such as "computer classes", etc....

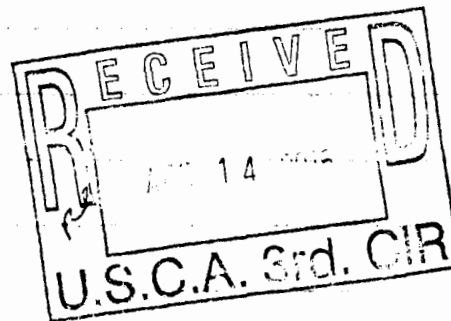
(5) And where the regular group I am scheduled to is run by a doctor who is a defendant in a personal lawsuit I have. And where despite having informed the Administration of this they continue to reassign me to new groups with Dr. Eiser, whom had interviewed me concerning an incident where I warned him I was being threatened where he took an attitude about it and permitted another assault to happen.

(6) Also I must address the fact that where having built four therapy rooms in each unit, which should have been done BEFORE we got here because during this period there was none and where for an entire year the noise, smoke from the welding, etc., was totally unbearable! And worse very disruptive and harmful psychologically! Counterproductive and antitherapeutic.

4.11.2016

C.A. # 16-1916

JOSEPH ARUANNO,
PLAINTIFF



CONSOLIDATED WITH,

R. ALVES, et al.

V.

D.C.N.J. # 01-789

M. MAINI, et al.

**** PETITION FOR WRIT OF MANDAMUS ****

DEAR HONORABLE JUDGES:

PLEASE ACCEPT THIS SUBMISSION IN LIEU OF A MORE FORMAL PETITION SINCE PLAINTIFF JOSEPH ARUANNO, JA, IS FORCED TO PROCEED PRO SE, SINCE APPOINTED COUNSEL REFUSES TO REPLY TO HIM, OR OTHERS TRYING TO CONTACT COUNSEL, OR COMPLY IN ANY WAY, AND IN LIGHT OF THE SEVERE LIMITATIONS PLACED ON HIM BY THE DEFENDANTS WHICH ARE KEY ISSUES IN THIS CASE, AS WELL AS COUNTLESS OTHER CASES.

IN THIS PETITION JA/WE RELY ON THE COPY OF THE ATTACHED "MOTION TO REOPEN" THE SETTLED ISSUES IN THIS CASE, DHS DEFENDANTS, WHERE AS YOU CAN SEE BY THE DATE ON IT, 9.21.2014, IT WAS SUBMITTED NEARLY TWO YEARS AGO BUT THE DISTRICT COURT ALSO REFUSES TO COMPLY, OR EVEN REPLY, WHICH RISES ABOVE AND BEYOND CONTEMPT. COMPOUNDED BY MONTHLY LETTERS TO THE COURT WHICH THEY ALSO REFUSE TO REPLY/COMPLY WITH. INCLUDING ONE DATED 12.21.2015 TITLED "FINAL NOTICE".

AND WHERE IT MUST BE MENTIONED THAT JA HAD SUBMITTED A PREVIOUS CASE, "ARUANNIO V. WALSH" REQUESTING RELIEF WHICH WOULD HAVE AVOIDED THIS PROBLEM OR THE NEED FOR THIS PETITION BUT THE COURT ALSO FAILED TO ACT THERE AS WELL.

THOUGH WITH THAT IT MUST BE MADE CLEAR THAT THE LOWER COURT DID REPLY ON 4.7.15 BUT INSTEAD OF ADDRESSING THE ISSUE TWISTED IT INTO CASE NO. 07.1212 IN ORDER TO AVOID THE ISSUE. MADE MOST CLEAR BY THE MONTHLY REPLIES SINCE THEN CLARIFYING THAT WITH YET ONCE AGAIN NO REPLY OR CORRECTING ITSELF.

AND MOST IMPORTANT IT HAS ONLY BECOME WORSE HERE, AS IN THE ISSUES ADDRESSED IN EXHIBIT A, WHERE NOT ONLY WAS THERE NO INCREASE IN GROUPS, ETC., SINCE THE SETTLEMENT BUT THERE HAS BEEN FURTHER CUTBACKS IN GROUPS, INCLUDING RECREATIONAL, EDUCATIONAL, ETC., WHERE STAFF COMPLAIN ABOUT A LACK OF FUNDS WHICH ALSO INCLUDES CUTBACK IN PRIZES FOR BINGO, TRIVIA, ETC., WHERE RESIDENTS RELIED ON THOSE PRIZES SUCH AS SOAP, SHAMPOO, ETC.... AND WHICH INCLUDES CUTBACKS WITH STAFF.

AND FURTHER PROVING EXHIBIT A THE COURT APPOINTED MONITOR AND OMBUDSMAN ARE DOING ABSOLUTELY NOTHING ABOUT THESE PROBLEMS. INCLUDING THE MONITOR'S YEARLY JOKE, OR REPORT TO THE COURT, PRETENDING EVERYTHING IS JUST FINE!?!.

IN A REPLY LETTER TO JA HE STATED HE IS NOT PERMITTED TO HAVE CONTACT WITH PLAINTIFFS BUT THE ORDER APPOINTING HIM MAKES CLEAR HE CAN COMMUNICATE WITH ANY PLAINTIFFS HE NEEDS TO!

AND THE OMBUDSMAN IS JUST ONE BIG LIE! FOR A LACK OF A BETTER WORD.

IN CLOSING, CLEARLY THIS "EXTRAORDINARY REMEDY" IS WARRANTED IN LIGHT OF THE NEARLY TWO YEAR DISREGARD, TO THE SCALE OF A DELIBERATE INDIFFERENCE BY THE DISTRICT COURT, COMPOUNDED BY THE DOUBLE TALK AND DENIAL BY SPINNING THIS INTO "HASTE", WHICH WAS THEN CLARIFIED TO THE DEGREE OF COMMON SENSE BY JA, AND WHERE THE ONLY REPLY BY THE DISTRICT COURT WAS NOT TO REPLY ANY FURTHER, AND WHERE SINCE THERE IS NO OTHER MEANS TO ATTAIN RELIEF, SINCE THE DISTRICT COURT REFUSES TO COMPLY, OR EVEN REPLY, WE ASK THAT, IN LIGHT OF THE PREJUDICE CAUSED BY SUCH NEGLIGENCE, INCLUDING SERIOUS HARM AND INJURY, CONTRARY TO THE U.S. SUPREME COURT IN "KANSAS V. CRANE", "KANSAS V. HENDRIX", etc., WHICH IS THE "PUNITIVE" NATURE OF OUR EXISTENCE HERE, THAT THIS COURT TAKE THE FOLLOWING ACTIONS.,

A - ORDER/INSTRUCT THE DISTRICT COURT TO ACT ON THE ENCLOSED EXHIBIT A. AND WITHIN A CERTAIN AMOUNT OF TIME.

B - ORDER/INSTRUCT THE DISTRICT COURT TO "COPY" JA AS TO ANY AND ALL ACTION TAKEN IN THIS CASE

C - KEEP IN MIND THAT NEARLY THE ENTIRE CLASS HAS SIGNED A MOTION TO REMOVE APPOINTED COUNSEL FROM THIS CASE, MAINLY BARBARA MOSES, IN LIGHT OF

THE FARCE OF A SETTLEMENT SITE FORCED ON US, AND OUR UNDERSTANDING OF ITS INEFFECTIVENESS, SUCH AS THE "LACK OF FUNDING" WE QUESTIONED THEN, WHICH IS HAPPENING NOW.

D - ORDER/INSTRUCT THE MONITOR OF HIS RIGHT, AND OBLIGATION, TO MEET WITH CERTAIN RESIDENTS IN ORDER TO OBTAIN A FULL AND FAIR LOOK AT THE LACK OF THERAPY/LACK OF COMPLIANCE AT THE STU.

IN ADVANCE WE WANT TO THANK YOU FOR YOUR TIME AND EFFORTS HERE.

SINCERELY,
J. Aruanno

MR. JOSEPH ARUANNO # 363

S.T. U.

P.O. Box 905

AVENEL, NJ 07001

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FROM: JOSEPH ARGUANO # 363
S.T.U.
PO BOX 905
AVENEL, NJ 07001

TO:

JUDGE SUSAN WIGENTON
U.S. DISTRICT COURT
50 WALNUT STREET
NEWARK, NJ 07102



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